

**SUPREME COURT MINUTES  
WEDNESDAY, OCTOBER 2, 2002  
SAN FRANCISCO, CALIFORNIA**

**S018634**

PEOPLE v. GUTIERREZ (ISAAC)  
Rehearing denied  
Opinion modified – no change in judgment.

**S018815**

PEOPLE v. GURULE (RAYMOND ANTHONY)  
Rehearing denied

**S094710**

A087698 First Appellate District,  
Division Two

PEOPLE v. ANDERSON (ROBERT NEAL)  
Rehearing denied

Kennard, J., is of the opinion the petition  
should be granted.

**S097444**

E025710 Fourth Appellate District,  
E025832 Division Two  
E026853  
E025710

WILSON v. PARKER, COVERT & CHIDESTER  
Rehearing denied

**S108866**

B159948 Second Appellate District,  
Division Two

BLAKE v. S.C. (PEOPLE)  
Order to show cause issued; issues limited

The petition for review is ordered refiled as a petition for writ of habeas corpus. The Los Angeles County Sheriff is ordered to show cause before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to a bail hearing forthwith as to whether "the facts are evident or the presumption great" with respect to the special circumstance allegation. (See, Cal. Const., art I, § 12(a); Pen. Code, §§ 1269c, 1270.2, 1270.5; *Clark v. Superior Court* (1992) 11 Cal.App.4th 455; *In re Nordin* (1983) 143 Cal.App.3d 538, 543.) The return shall be filed on or before October 7, 2002.

Votes: George, CJ., Kennard, Werdegard, Chin and Moreno, JJ.

**S109125**

D038027 Fourth Appellate District,  
Division One

SAN DIEGO UNIFIED SCHOOL DISTRICT v.  
COMMISSION ON STATE MANDATES  
(CALIFORNIA DEPT. OF FINANCE)  
Petition for review granted (civil case)

For purposes of briefing and argument, Real Party in Interest California Department of Finance is designated lead petitioner to this court. Appellant Commission on State Mandates may file a simultaneous opening brief on the merits. Additional briefing is to be served and filed in a timely fashion. (Rule 29.3, Cal. Rules of Court.)

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S109219**

C037645 Third Appellate District

DEPARTMENT OF FINANCE v. STATE  
MANDATES (KERN HIGH SCH. DIST. et al.)  
Petitions for review granted (civil case)

For purposes of briefing and argument, appellant is designated petitioner to this court and is directed to file a brief on the merits. Answers thereto shall be filed by respondent and real parties in interest. (See rule 29.3, Cal. Rules of Court.)

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S109356**

A092852 First Appellate District,  
Division Four

PEOPLE v. ALAS (DANIEL)  
Petitions for review granted/briefing deferred  
(rule 29.3) – criminal case

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hernandez*, S105271 (see Cal. Rules of Court, rule 29.2 (c )), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S109398**

H023435 Sixth Appellate District

M. (OFIR), IN RE

Review granted/briefing deferred (rule 29.3) – criminal case

Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Robert B.*, S103022 (see Cal. Rules of Court, rule 29.2 (c )), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S109452**B149841 Second Appellate District,  
Division Two

PEOPLE v. LEGION INSURANCE COMPANY

Review granted/briefing deferred (rule 29.3) – civil case

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Seneca*, S109452 (see Cal. Rules of Court, rule 29.2 (c )), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S105688**

ELRAWI (MOHAMED A.) ON H.C.

OSC issued, returnable in Superior Court

The Director of Corrections is ordered to show cause before the San Bernardino County Superior Court, when the matter is ordered on calendar, why the relief sought should not be granted, as conceded by the Attorney General in his informal response filed September 5, 2002. The return shall be filed on or before November 1, 2002.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S109291**

B159064 Second Appellate District,  
Division Three

BARILLAS v. WCAB (COHEN et al.)

Petition for review granted; transferred to CA 2/3

with directions to vacate its order denying the writ petition and to issue a new order remanding the matter to the WCAB as requested by the WCAB in its June 18, 2002 letter to that court.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S109310**

B160462 Second Appellate District,  
Division Two

WARRICK (DONALD P.) v. S.C. (LOS ANGELES)

Review granted; transferred to CA 2/2 to issue OSC

directing respondent court to show cause why the relief sought in the petition should not be granted. (See *City of Santa Cruz v. Municipal Court* (1989) 49 Cal.3d 74; *People v. Memro* (1985) 38 Cal.3d 658.) The stay order issued in this court shall remain in effect pending further order of the Court of Appeal.

Votes: George, CJ., Kennard, Baxter, Werdegar, Brown and Moreno, JJ.

**S109697**

B156220 Second Appellate District,  
Division Four

ADAMANY (HENRY, JR.) v. S.C. (ALAGEM et al.)

Review granted on court's own motion; transferred to CA 2/4

with directions to vacate its opinion and reconsider the matter as it sees fit.

Votes: George, CJ., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

**S100426**

B142728 Second Appellate District,  
Division Seven

GURSEY, SCHNEIDER & CO v. WASSER,  
ROSENSON & CARTER et al.

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal, Second Appellate District, Division Seven.

George, C.J., was recused and did not

participate.

Votes: Brown, ACJ., Kennard, Baxter,  
Werdegar, Chin and Moreno, JJ.

**S103703**

E026993 Fourth Appellate District,  
E030212 Division Two

**PEOPLE v. GRUNINGER**

Transferred to CA 4/2 after grant of review

with directions to vacate its decision and to  
reconsider the cause in light of *People v.*  
*Superior Court (Jimenez)* (2002) 28 Cal.4th  
798.

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S105771**

B152112 Second Appellate District,  
Division Three

**BARNES v. S.C. (PEOPLE)**

Dismissed as improvidently granted (rule 29.4 (c))

and cause is remanded to the Court of Appeal,  
Second Appellate District, Division Three.  
The opinion of the Court of Appeal shall  
remain published.

Votes: George, CJ., Kennard, Baxter,  
Werdegar, Chin, Brown and Moreno, JJ.

**S102296****HILLHOUSE (DANNIE) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on  
November 26, 2001, is denied. Except to the  
extent petitioner claims his attorneys provided  
ineffective assistance (see *People v. Mendoza*  
*Tello* (1997) 15 Cal.4th 264, 267), claims B  
and D are barred by *In re Waultreus* (1965) 62  
Cal.2d 218, 225, to the extent they were raised  
and rejected on appeal, and by *In re Dixon*  
(1953) 41 Cal.2d 756, 759, to the extent they  
were not raised on appeal. All claims are also  
denied on the merits.

**S108470**

H023345 Sixth Appellate District

**PEOPLE v. S.C. (RAMIREZ)**

Petition for review & publication request denied

**S108483**

B159520 Second Appellate District,  
Division Three

## ALLENSWORTH ON H.C.

Petition for review denied

**S108504**

C041559 Third Appellate District

## AGUAYO (PAUL) ON H.C.

Petition for review denied

**S108649**

D037375 Fourth Appellate District,  
Division One

## SATTEN v. WEBB

Petition for review denied

Kennard, J., and Moreno, J., are of the opinion  
the petition should be granted.

**S108739**

B150112 Second Appellate District,  
Division Seven

## PEOPLE v. GUIZAR

Petition for review denied

**S108766**

A096401 First Appellate District,  
Division Two

## W. (EDWARD), CONSERVATORSHIP OF

Petition for review denied

**S108788**

B151574 Second Appellate District,  
Division Six

## PEOPLE v. ACCREDITED SURETY &amp; CASUALTY

Petition for review denied

**S108800**

D036680 Fourth Appellate District,  
D037435 Division One

COORDINATED LATEX GLOVE LITIGATION,  
MCGINNIS v. BAXTER HEALTHCARE CORP.

Petition for review denied

Kennard, J., and Werdegarr, J., are of the  
opinion the petition should be granted

**S108832**

F040884 Fifth Appellate District

## ZAPIEN v. S.C. (PEOPLE)

Petition for review and application for stay denied

Kennard, J., is of the opinion the petition  
should be granted.

**S108879**

A094975 First Appellate District,  
Division One

KANTER et al. v. CARE TECHNOLOGIES et al.  
Petition for review denied

George, C.J., and Chin, J., were recused and  
did not participate.

**S108898**

A099150 First Appellate District,  
Division One

FORD MOTOR CREDIT v. S.C. (GROOM)  
Petition for review denied

**S108920**

H021157 Sixth Appellate District

VARR v. OLIMPIA (GARY) et al.  
Petitions for review denied

Baxter, J., was recused and did not participate.

**S108925**

A099232 First Appellate District,  
Division One

AMERICA ONLINE, INC. v. S.C. (LORTON)  
Petition for review denied

**S108932**

D040470 Fourth Appellate District,  
Division One

HUBKA v. S.C. (PEOPLE)  
Petition for review denied

**S108952**

A095229 First Appellate District,  
Division One

ESPRESSO ROMA CORP. v. BANK OF AMERICA  
Petition for review denied

Chin, J., was recused and did not participate.

**S109039**

G029462 Fourth Appellate District,  
Division Three

NATIONAL PAINT & COATINGS ASSN. INC. v.  
SOUTH COAST AIR QUALITY MGMT. DIST.  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S109091**

B152880 Second Appellate District,  
Division Four

PEOPLE v. ALVARADO  
Petition for review denied

**S109106**

B150679 Second Appellate District,  
Division Four

PEOPLE v. ANDRADE et al.  
Petitions for review denied

**S109109**

B152518 Second Appellate District,  
Division Three

PEOPLE v. MARTINEZ  
Petition for review denied

**S109112**

B154733 Second Appellate District,  
Division Three

PEOPLE v. HERNANDEZ  
Petition for review denied

**S109115**

D040528 Fourth Appellate District,  
Division One

HUBKA v. S.C. (PEOPLE)  
Petition for review denied

**S109138**

G030948 Fourth Appellate District,  
Division Three

WOLFEN et al. v. S.C. (DAVID et al.)  
Petition for review denied

**S109140**

E030010 Fourth Appellate District,  
Division Two

PEOPLE v. ROMERO  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S109149**

E028765 Fourth Appellate District,  
Division Two

PEOPLE v. CLAY et al.  
Petitions for review denied

**S109183**

B154307 Second Appellate District,  
Division Six

WEBBER v. COUNTY OF SAN LUIS OBISPO  
Petition for review & publication request denied

**S109196**

A092371 First Appellate District,  
Division Two

PEOPLE v. GOMEZ  
Petition for review denied



**S109222**

B150921 Second Appellate District,  
Division Five

PEOPLE v. ODEN

Petition for review denied

**S109235**

F036896 Fifth Appellate District

PEOPLE v. BEAVERS

Petition for review denied

**S109237**

B158999 Second Appellate District,  
Division One

COUNTY OF LOS ANGELES v. WCAB

Petition for review denied

**S109294**

D038075 Fourth Appellate District,  
Division One

ESSD INC. v. TOMSKY et al.

Petition for review denied

**S109303**

B151537 Second Appellate District,  
Division Six

PEOPLE v. DEL VALLE

Petition for review & depublication request denied

Kennard, J., is of the opinion the petition  
should be granted

**S109308**

E028795 Fourth Appellate District,  
Division Two

MEJIA v. COMMUNITY HOSPITAL

Petition for review & depublication requests denied

The request for judicial notice is granted.

Baxter, Chin and Brown, JJ., are of the  
opinion the petition should be granted.

**S109320**

E029695 Fourth Appellate District,  
Division Two

PEOPLE v. CORTEZ

Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S109323**

B153548 Second Appellate District,  
Division Four

PEOPLE v. COLEMAN

Petition for review denied

**S109326**

B152891 Second Appellate District,  
Division Five

PEOPLE v. WASHINGTON

Petition for review denied

Kennard, J. is of the opinion the petition  
should be granted

**S109337**

B147405 Second Appellate District,  
Division Six

KAUFER et al. v. CHICAGO TITLE INSURANCE

Petition for review & publication request denied

**S109351**

B146350 Second Appellate District,  
Division Five

B.W.T. INDUSTRIES INCORPORATED v.

TRANSPORTATION INSURANCE CO.

Petitions for review denied

**S109361**

H021567 Sixth Appellate District

PEOPLE v. BAILEY

Petition for review denied

**S109373**

B135685 Second Appellate District,  
Division Four

PEOPLE v. FLAGG et al.

Petitions for review denied

**S109375**

B152302 Second Appellate District,  
Division Two

PEOPLE v. GUGLIOTTA

Petition for review denied

**S109377**

B150787 Second Appellate District,  
Division One

PEOPLE v. JIMENEZ

Petition for review denied

**S109379**

H023307 Sixth Appellate District

M., (RICHARD), IN RE

Petition for review denied

**S109382**

B152297 Second Appellate District,  
B155391 Division Five

PEOPLE v. CASTRO et al.

Petition for review denied

**S109384**

D038587 Fourth Appellate District,  
D038751 Division One  
D038879

CITY OF SAN DIEGO et al. v. FURGATCH

Petitions for review and denied

The request for judicial notice is denied.

**S109391**

B153520 Second Appellate District,  
Division One

TURNER v. AMERICAN HONDA MOTOR CO.  
Petition for review denied

**S109399**

E029499 Fourth Appellate District,  
Division Two

PEOPLE v. PARKER  
Petition for review denied

**S109401**

H023964 Sixth Appellate District

J. (PRISCILLA), IN RE  
Petition for review denied

**S109407**

B150461 Second Appellate District,  
Division Seven

PEOPLE v. GARCIA  
Petition for review denied

**S109416**

A099354 First Appellate District,  
Division Four

PEOPLE v. GRIMES  
Petition for review denied

**S109417**

B149231 Second Appellate District,  
Division One

PEOPLE v. TORRES  
Petition for review denied

**S109419**

B150838 Second Appellate District,  
Division Six

PEOPLE v. POWELL  
Petition for review denied

**S109424**

C038954 Third Appellate District

L. (ANGELICA), IN RE  
Petition for review denied

**S109431**

B147584 Second Appellate District,  
Division Two

PEOPLE v. RICHARDSON, JR. et al.  
Petition for review denied

**S109437**

A096019 First Appellate District,  
Division Two

PEOPLE v. RICAFFRENTE  
Petition for review denied

**S109442**

B149976 Second Appellate District,  
B156167 Division Three

PEOPLE v. PRICE / PRICE ON H.C.  
Petition for review denied

**S109449**

B147009 Second Appellate District,  
Division Two

PEOPLE v. GIPSON  
Petition for review denied

**S109455**

B156184 Second Appellate District,  
Division One

PEOPLE v. CROZIER  
Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S109458**

F039004 Fifth Appellate District

PEOPLE v. ACEVEDO  
Petition for review denied

**S109464**

B153848 Second Appellate District,  
Division Five

HENDRIX v. COUNTRYWIDE HOME LOANS  
Petition for review denied

**S109466**

C038014 Third Appellate District

PEOPLE v. MARTINEZ  
Petition for review denied

**S109467**

A096189 First Appellate District,  
Division One

GRAY v. UNDERWRITERS AT LLOYDS  
LONDON  
Petition for review denied

**S109469**

E030259 Fourth Appellate District,  
Division Two

PEOPLE v. DEVRIES  
Petition for review denied

**S109474**

B160175 Second Appellate District,  
Division Three

RODRIGUEZ (JOHNNY) ON H.C.  
Petition for review denied

**S109476**

C036548 Third Appellate District

PEOPLE v. WESLEY  
Petition for review denied

<b>S109478</b> F038504 Fifth Appellate District	PEOPLE v. MEJIA Petition for review denied
<b>S109483</b> F037412 Fifth Appellate District	PEOPLE v. COOK Petition for review denied
<b>S109484</b> E030627 Fourth Appellate District, Division Two	PEOPLE v. HALVERSON Petition for review denied
<b>S109485</b> B147565 Second Appellate District, Division Two	PEOPLE v. DAVISON Petition for review denied
<b>S109495</b> H022677 Sixth Appellate District	PEOPLE v. CRUZ Petition for review denied
<b>S109496</b> F037140 Fifth Appellate District	PEOPLE v. LICON Petition for review denied
<b>S109498</b> A096471 First Appellate District, Division One	O. (BRANT), IN RE Petition for review denied
<b>S109499</b> A094007 First Appellate District, Division Four	PEOPLE v. MITCHELL Petition for review denied
<b>S109501</b> B149553 Second Appellate District, Division Five	PEOPLE v. BUTTERFIELD Petition for review denied
<b>S109502</b> F039697 Fifth Appellate District	J. (DAVID), IN RE Petition for review denied
<b>S109506</b> B153310 Second Appellate District, Division Seven	PEOPLE v. HEARNS Petition for review denied

**S109517**

F039638 Fifth Appellate District

S. (WALTER), IN RE

Petition for review denied

Baxter, J., was recused and did not participate.

**S109518**

F038199 Fifth Appellate District

PEOPLE v. STANLEY

Petition for review denied

**S109522**A096468 First Appellate District,  
Division Four

R. (JAVIER), IN RE

Petition for review denied

**S109524**B150078 Second Appellate District,  
Division Four

PEOPLE v. BARAJAS

Petition for review denied

**S109525**B151118 Second Appellate District,  
Division One

PEOPLE v. DOSS

Petition for review denied

**S109532**B156489 Second Appellate District,  
Division One

PEOPLE v. LEE

Petition for review denied

**S109542**B140947 Second Appellate District,  
Division Two

ROMNEY v. KOOIMAN

Petition for review denied

**S109549**B151887 Second Appellate District,  
Division Five

PEOPLE v. WILSON

Petition for review denied

**S109580**E030917 Fourth Appellate District,  
Division Two

REED v. CA 4 (WILLIAMS COMMUNICATIONS)

Petition for writ of mandate/prohibition denied

**S109588**

F038491 Fifth Appellate District

RAYMOND v. PUTNAM

Petition for review denied

**S109593**

B153753 Second Appellate District,  
Division Five

## PEOPLE v. MORRIS

Petition for review denied

**S109719**

B150280 Second Appellate District,  
Division Two

## HUBBARD v. FISCHER

Petition for review denied

George, C.J., and Werdegar, J., were recused  
and did not participate.

**S109721**

F036761 Fifth Appellate District

## PEOPLE v. CARRERA

Petition for review denied

Kennard, J., is of the opinion the petition  
should be granted.

**S109966**

B158667 Second Appellate District,  
Division Eight

## OLIVER (RICHARD) ON H.C.

Petition for review denied

**S110083**

## KEMP v. S.C. (PEOPLE)

Petition for writ of mandate/prohibition & stay denied

**S103276**

## NIBLE (WILLIAM) ON H.C.

Petition for writ of habeas corpus denied

**S104399**

## SONG (WON HO) ON H.C.

Petition for writ of habeas corpus denied

**S104631**

## MALDONADO (ALFONSO LUI) ON H.C.

Petition for writ of habeas corpus denied

**S104705**

## NUNES (RONEY) ON H.C.

Petition for writ of habeas corpus denied with  
citation(s)

**S105013**

## METOYER (GARY D.) ON H.C.

Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

<b>S105053</b>	KELII (LESTER) ON H.C. Petition for writ of habeas corpus denied
<b>S105204</b>	VILLA (CESAR) ON H.C. Petition for writ of habeas corpus denied
<b>S105217</b>	JACKSON (LAMON EDWARD) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S105247</b>	KIMBROUGH (CLARK A.) ON H.C. Petition for writ of habeas corpus denied
<b>S105302</b>	SHANKS (MICHAEL C.) ON H.C. Petition for writ of habeas corpus denied
<b>S105305</b>	ACEVES (MARTY) ON H.C. Petition for writ of habeas corpus denied
<b>S105311</b>	CHESTER (TAJUAN) ON H.C. Petition for writ of habeas corpus denied
<b>S105334</b>	BUCKHALTER (JOE) ON H.C. Petition for writ of habeas corpus denied
<b>S105527</b>	JONES (CHRISTOPHER) ON H. C. Petition for writ of habeas corpus denied
<b>S105560</b>	MILLS (FABIAN) ON H.C. Petition for writ of habeas corpus denied
<b>S105607</b>	COLEMAN (BRYAN E.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S105645</b>	GOMEZ (LOUIE) ON H.C. Petition for writ of habeas corpus denied



<b>S105648</b>	TOLLIVER (DARRYL) ON H.C. Petition for writ of habeas corpus denied
<b>S105677</b>	BORJAS (JESUS) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S105862</b>	DUONG (SENH) ON H.C. Petition for writ of habeas corpus denied
<b>S105874</b>	HENDRIX (HENRY) ON H.C. Petition for writ of habeas corpus denied
<b>S105882</b>	ROSAS (HECTOR) ON H.C. Petition for writ of habeas corpus denied
<b>S105897</b>	BIVENS (SHERITA) ON H.C. Petition for writ of habeas corpus denied
<b>S105924</b>	FRANKLIN (ROOSEVELT) ON H.C. Petition for writ of habeas corpus denied
<b>S105973</b>	NGUYEN (PHONG) ON H.C. Petition for writ of habeas corpus denied
<b>S106042</b>	CORDOVA (JOHNNY) ON H.C. Petition for writ of habeas corpus denied
<b>S106121</b>	HORNSBY (DWIGHT P.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S106261</b>	WILLIAMS (ERIC) ON H.C. Petition for writ of habeas corpus denied
<b>S106383</b>	FLUETTE (TODD EVERETT) ON H.C. Petition for writ of habeas corpus denied with citation(s)

<b>S106411</b>	GRANADOS (ANDREW JAMES) ON H.C. Petition for writ of habeas corpus denied
<b>S106422</b>	CALKINS (DONALD) H.C. Petition for writ of habeas corpus denied
<b>S106480</b>	DALLY (MICHAEL A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S106520</b>	ATILES (RICK A.) ON H.C. Petition for writ of habeas corpus denied
<b>S106537</b>	FRANCIS (CHRISTINA M.) ON H.C. Petition for writ of habeas corpus denied
<b>S106587</b>	CHANDLER (MICHAEL) ON H.C. Petition for writ of habeas corpus denied
<b>S106822</b>	HILL, KATHY D. (aka MARLENE D. JAMISON) ON H.C. Petition for writ of habeas corpus denied
<b>S106827</b>	COLEMAN (ANTHONY) ON H.C. Petition for writ of habeas corpus denied
<b>S106828</b>	ROJAS (ALBERTO) ON H.C. Petition for writ of habeas corpus denied
<b>S106829</b>	JOHNSON (RODWICK R. ) ON H.C. Petition for writ of habeas corpus denied
<b>S106852</b>	ROUNDTREE (EDWARD S.) ON H.C. Petition for writ of habeas corpus denied
<b>S106908</b>	NAVA (AARON) ON H.C. Petition for writ of habeas corpus denied with citation(s)

**S106973**

HAWKINS (MELVIN L.) ON H.C.  
Petition for writ of habeas corpus denied

**S107029**

LOCKRIDGE (BRYAN) ON H.C.  
Petition for writ of habeas corpus denied

**S107040**

EDWARDS (JIMMY DON) ON H.C.  
Petition for writ of habeas corpus denied

**S107231**

REED (LEE) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107237**

TILLMAN (ANDREW) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107368**

JUDIE, ANTHONY (aka MICHAEL GREGG)  
ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107413**

MONTANEZ (PATRICK) ON H.C.  
Petition for writ of habeas corpus denied

**S107461**

MCKNIGHT (JEROME) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107472**

WHITFIELD (DARRYL D.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107473**

FRANKLIN (DAREN) ON HC  
Petition for writ of habeas corpus denied with  
citation(s)

<b>S107484</b>	ROBLES (MARIO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107493</b>	SMITH (ROBERT A.) ON H.C. Petition for writ of habeas corpus denied
<b>S107504</b>	LITTLE (GLENN T.) ON H.C. Petition for writ of habeas corpus denied
<b>S107505</b>	KUHN (RICHARD W.) ON H.C. Petition for writ of habeas corpus denied
<b>S107512</b>	THOMAS (ALDEN A.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107516</b>	WASHINGTON (RODERICK) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107526</b>	CARRELL (JERRY DONNELL) ON H.C. Petition for writ of habeas corpus denied
<b>S107576</b>	RUSSELL (RONALD W.) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107592</b>	RUTKOWSKI (SKIPPY C.) ON H.C. Petition for writ of habeas corpus denied
<b>S107596</b>	ALFORD (DOUGLAS) ON H.C. Petition for writ of habeas corpus denied
<b>S107606</b>	MARSHALL (ALDRED) ON H.C. Petition for writ of habeas corpus denied

<b>S107614</b>	GRAYSON (EDDIE) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107650</b>	MADRIGAL (ALFREDO) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107657</b>	JOSEPH (EARL A.) ON H.C. Petition for writ of habeas corpus denied
<b>S107663</b>	MCNEILL (JACK) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107664</b>	YBARRA (MARIO) ON H.C. Petition for writ of habeas corpus denied
<b>S107667</b>	BATES (WILLIAM) ON H.C. Petition for writ of habeas corpus denied
<b>S107668</b>	STEELE (LESLIE) ON H.C. Petition for writ of habeas corpus denied
<b>S107670</b>	MCKENZIE (DAVID) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107677</b>	JONES (JEROME) ON H.C. Petition for writ of habeas corpus denied with citation(s)
<b>S107679</b>	MENDEZ (RAYMOND) ON H.C. Petition for writ of habeas corpus denied
<b>S107680</b>	NGUYEN (LUAN TIEN) ON H.C. Petition for writ of habeas corpus denied

**S107686**

JAMES (MICHAEL A.) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107757**

SARGENT (CORBY) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S107762**

MONROE (WILLIAM) ON H.C.  
Petition for writ of habeas corpus denied

**S107785**

WASHINGTON (RODERICK) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S108072**

WASHINGTON (RODERICK) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S108684**

WHITFIELD (DARRYL DEWAYNE) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S109833**

HOSIA (JAMES A.) ON H.C.  
Petition for writ of habeas corpus denied

**S109846**

FRAZIER (ANTONIO) ON H.C.  
Petition for writ of habeas corpus denied with  
citation(s)

**S106445**

G029042 Fourth Appellate District,  
Division Three

MEDIX v. S.C. (COLLADO)  
Depublication request denied (case closed)

**S109050**

B148052 Second Appellate District,  
Division Two

KAVAJECZ v. IMPERIAL A.I. CREDIT  
Publication request denied (case closed)

**S109526**

F039338 Fifth Appellate District

FLORES v. S.C. (DECKER FORD)

Publication request denied (case closed)

**S012279**

PEOPLE v. LUCAS (DAVID A.)

Extension of time granted

to December 2, 2002 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S023421**

PEOPLE v. BUNYARD (JERRY T.)

Extension of time granted

to December 3, 2002 to file appellant's opening brief. The court anticipates that after that date, only four further extensions totaling 240 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S027264**

PEOPLE v. FRIEND (JACK W.)

Extension of time granted

to December 2, 2002 to file appellant's opening brief. Extension is granted based upon Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing that brief by January 28, 2003. After that date, only one further extension totaling 57 additional days will be granted.

**S040704**

PEOPLE v. JOHNSON (BRIAN D.)

Extension of time granted

to December 2, 2002 to file appellant's opening brief. The court anticipates that after

that date, no further extensions will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S056425**

PEOPLE v. DAVIS (RICHARD ALLEN)  
Extension of time granted

to October 31, 2002 to appellant to request correction of the record. Extension is granted based upon counsel Phillip H. Cherney's representation that he anticipates filing the request in the superior court by 10/31/2002. After that date, no further extension will be granted. Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

**S066939**

PEOPLE v. ALLEN AND JOHNSON  
Extension of time granted

to November 12, 2002 to file appellant Michael Allen's opening brief. The court anticipates that after that date, only five further extensions totaling 300 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S102401**

WAILDA (TAUNO) ON H.C.  
Extension of time granted

to November 14, 2002 to file the traverse. Extension is granted based upon Deputy Federal Public Defenders Scott T. Johnson's and Lawrence B. Berroya's representation that they anticipate filing that pleading by November 14, 2002. After that date, no further extension is contemplated.



**S105370**

HERNANDEZ (CHRISTIAN) ON H.C.  
Extension of time granted

Petitioner's time to serve and file the reply to the Attorney General's informal response is extended to and including October 21, 2002.

**S107856**

CREW (MARK CHRISTOPHER) ON H.C.  
Extension of time granted

to October 28, 2002 to file the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling nine additional days is contemplated. Extension is granted based upon Supervising Deputy Attorney General Peggy S. Ruffra's representation that she anticipates filing that document by November 6, 2002.

**S108119**

A093574 First Appellate District,  
Division Four

PEOPLE v. DELOUIZE  
Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the Opening Brief on the Merits is extended to and including November 3, 2002.

**S041630**

PEOPLE v. JABLONSKI (PHILIP C.)  
Counsel appointment order filed

Attorney Mark D. Greenberg, previously appointed to represent appellant Phillip Carl Jablonski for the direct appeal in the above automatic appeal now pending in this court, is hereby appointed to also represent appellant Phillip Carl Jablonski for habeas corpus/executive clemency proceedings related to the above automatic appeal.

**S073316**

PEOPLE v. EDWARDS (ROBERT)  
Counsel appointment order filed

appointing Michael D. Abzug to represent appellant for the direct appeal.

**S108670**

F037969 Fifth Appellate District

S. (DANNY) IN RE

Counsel appointment order filed

The Central California Appellate Program is hereby appointed to represent appellant on his appeal now pending in this court.

**S024471**

PEOPLE v. WATSON (PAUL G.)

Record augmentation granted in part/denied in part

Appellant's Supplemental Motion to Correct, Augment and Settle the Record on Appeal filed February 4, 2002, is granted in the following respects. In all others respects, the motion is denied.

Appellant's request for "correction" of numerous alleged errors in the trial transcripts (Motion, Section III, pp. 5-12) is denied as appellant has not shown that these are more than "immaterial typographical errors that cannot conceivably cause confusion." (Pen. Code, Section 190.8, subd. (c).)

Appellant's request that pages 45, 46, 148, 149, 160, and 162 of the clerk's transcript be recopied is granted. The clerk of the Los Angeles Superior Court is directed to send legible copies of the material on those pages to the court and the parties on or before November 25, 2002.

Regarding appellant's request that pages 6, 11, 60, 65, 70, 75, 80, 90, 141, 861, and 5512 of the reporter's transcript be recopied because they are illegible, the clerk of this court is directed to send legible copies of those pages to appellant and the Attorney General.

Appellant's request for copies of pages 1847, 1909, 2384, 2586, 2757, and 5613-5615 of the reporter's transcript is granted. The clerk of this court is directed to send copies of those pages to appellant and the Attorney General.

Regarding appellant's request for copies of pages 1083-1088 and 5015 of the reporter's transcript, the superior court is directed to conduct proceedings to determine whether these pages are missing from the reporter's transcript and, if so, to direct preparation of

the missing pages, certify the same as accurate, and transmit the material to this court on or before November 25, 2002.

Appellant's request for additional records to be available to all parties (Motion, Section IV, subd. (A), pp. 12-13) is granted in part and denied in part as follows.

1. Appellant has withdrawn his request for a copy of the case index.

2. Appellant's motion to augment the record with "the juror questionnaire prepared by the defense" is denied without prejudice because appellant has failed to comply with the requirements of Rule 12(a)(2) & (a)(3) of the California Rules of Court.

3. & 4. Appellant's motion to augment the record to include Court's Exhibits 1, 2, and 3 is denied as unnecessary, because exhibits are "deemed part of the clerk's transcript" under Rule 5(a)(5) of the California Rules of Court.

5. Appellant's motion to augment the record to include "a reporter's transcript of the morning proceedings of July 12, 1991," is denied because appellant has failed to show that there were oral proceedings to report on the morning of July 12, 1991.

6. Regarding, appellant's motion to augment the record to include a "reporter's transcript of the proceedings of August 7, 1991," the superior court is directed to conduct proceedings to determine whether oral proceedings were conducted on August 7, 1991 and, if so, whether such proceedings were reported and, if so, whether they were transcribed. If the proceedings were reported but not transcribed, the superior court is directed to have the proceedings transcribed, certify the resulting transcript as accurate, and transmit the material to this court on or before November 25, 2002.

7. Appellant's motion to augment the record to include a "reporter's transcript of the proceedings of September 27, 1991," is denied, because a reporter's transcript of these proceedings already appears in the record on appeal. The clerk of this court is directed to

provide a copy of this portion of the reporter's transcript to appellant.

Appellant's request for additional confidential records (Motion, Section IV, subd. (B), pp. 13-14) is granted in part and denied in part as follows.

1. & 2. Appellant's request for copies of all pleadings, applications, orders and other documents filed pursuant to the provisions of Penal Code section 987.2 and 987.9 is denied without prejudice, because appellant does not show whether any or all of these documents are already in the record and does not adequately identify these documents as required by Rule 5 of the California Rules of Court.

3. - 12. Regarding appellant's request for reporter's transcripts of the in camera hearings held on March 26, 1991, May 15, 1991, and June 12, 1991, June 14, 1991 (2 hearings), June 17, 1991 (2 hearings), June 19, 1991, and June 28, 1991 (2 hearings), the superior court is directed to conduct proceedings to determine whether oral proceedings were conducted on those dates and, if so, whether such proceedings were reported and, if so, whether they were transcribed. If the proceedings were reported but not transcribed, the superior court is directed to have the proceedings transcribed, certify the resulting transcripts as accurate, and transmit the material to this court on or before November 25, 2002.

Appellant's application for permission to settle the record on appeal (Motion, Section V, pp. 14-15) is denied without prejudice to appellant renewing this request in compliance with Rule 7(b)(1), California Rules of Court.

**S104701**

B151016 Second Appellate District,  
Division One

ROSENKRANTZ (ROBERT) ON H.C.

Motion denied

The motion by Steve M. Defilippis for leave to present oral argument in support of position as amicus curiae is denied.

**S107355**

A096012 First Appellate District,  
Division Five

LAMUSGA, MARRIAGE OF  
Request denied

Appellant's "Request for Dismissal of Appeal"  
filed on September 16, 2002, is denied.  
Appellant's request for judicial notice filed on  
September 16, 2002, is granted.

**S054996**

SUSPENSION – NONPAYMENT OF DUES – 1996  
Order filed

Due to clerical error on the part of the State  
Bar of California, it is ordered that the order  
of suspension for nonpayment of dues filed on  
August 2, 1996, effective August 12, 1996, be  
amended nunc pro tunc to strike the name of  
**James Robert Chislock.**

**S108829**

SUSPENSION – NONPAYMENT OF DUES – 2002  
Order filed

Due to clerical error on the part of the State  
Bar of California, it is ordered that the order  
of suspension for nonpayment of dues filed on  
August 16, 2002, effective September 4, 2002,  
be amended nunc pro tunc to strike the names  
of:

**Henry Richard Gaxiola**  
**Daniel B. Duvall**

**Bar Misc. 4186**

IN THE MATTER OF THE APPLICATION OF THE  
COMMITTEE OF BAR EXAMINERS OF THE  
STATE OF CALIFORNIA FOR ADMISSION OF  
ATTORNEYS

The written motion of the Committee of Bar  
Examiners that the following named  
applicants, who have fulfilled the  
requirements for admission to practice law  
in the State of California, be admitted to the  
practice of law in this state is hereby  
granted, with permission to the applicants to  
take the oath before a competent officer at  
another time and place:  
(LIST OF NAMES ATTACHED TO  
ORIGINAL ORDER)

**B150985** Second Appellate District,  
Division Two

SIRIUS (U.K.) INS., P.L.C., et al.  
CA 2 transfer from Division Two to Division Five.

B155369 Second Appellate District,  
Division Five

RENE THOMAS v. MICHAEL THOMAS  
CA 2 transfer from Division Five to Division Eight.

**SUPREME COURT CALENDAR  
SACRAMENTO SESSION  
NOVEMBER 5, and 6, 2002**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Library and Courts Building, Sacramento, California, on November 5 and 6, 2002.

TUESDAY, NOVEMBER 5, 2002 - 2:00 P.M.

S098242	Henkel Corporation v. Lloyds of London <i>(Chin, J., not participating, Ortega, J., assigned Justice Pro Tempore.)</i>
S098218	People v. Adair
S024642	People v. Michael Ray Burgener (Automatic Appeal)

WEDNESDAY, NOVEMBER 6, 2002 – 9:00 A.M.

S090136	Geneva Towers v. City of San Francisco
S103746	People v. Kramer
S101633	Kavanaugh v. West Sonoma School District

1:30 P.M.

*Rededication of The Library and Courts Building as  
The Stanley Mosk Library and Courts Building*

S104487	People v. Seneca Insurance Company
S059739	In re James Scott on Habeas Corpus

\_\_\_\_\_  
GEORGE  
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 10(d), California Rules of Court.

